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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

UNITED STATES OF AMERICA	)	CASE NO. : CR-12-00495 SBA
	)	
Plaintiff,	)	
vs.	)	ORDER GRANTING STIPULATED
	)	REQUEST TO RESET CHANGE OF
JUAN MIGUEL ELLINGBERG,	)	PLEA AND SENTENCING FROM
	)	DECEMBER 4, 2012 TO
Defendant.	)	FEBRUARY 26, 2013 AND TO
	)	EXCLUDE TIME UNDER THE
	)	SPEEDY TRIAL ACT
	)	
	)	Date: December 4, 2012
	)	Time: 10: a.m.
	)	Court Hon. Sandra B.
	)	Armstrong

The parties have jointly requested that the December 4, 2012 hearing for change of plea and sentencing as to defendant Juan Miguel be vacated and that this matter be reset for change of plea and sentencing on February 26, 2013 at 10: a.m. The parties further requested that time be excluded under the Speedy Trial Act between December 4, 2012 and February 26, 2013 to

Order to Reset Change of Plea and Sentencing

1 allow time for the court to consider the plea agreement entered into by the defendant and the  
2 attorney for the government, and to allow time for the preparation of Presentence  
3 Investigation Report by the United States Probation Office and continuity of counsel for  
4 effective preparation. Defendant agreed the Court may review the pre-plea Presentence  
5 Investigation Report even though he has not yet pleaded guilty. Good cause appearing there  
6 for, and pursuant and pursuant to 18 U.S.C. § 3161(h)(1)(G) and (h)(7)(B)(iv):  
7

8 **IT IS HEREBY ORDERED** that this matter is reset for change of plea and  
9 sentencing on February 26, 2013 at 10:a.m., and that time between December 4, 2012 and  
10 February 26, 2013 is excluded under the Speedy Trial Act, and specifically pursuant to 18  
11 U.S.C. § 3161(h)(1)(G), for consideration by the Court of a proposed plea agreement entered  
12 into by the defendant and the attorney for the government and subsection (h)(7)(B)(iv) for  
13 continuity of counsel effective preparation of counsel, taking into account the exercise of due  
14 diligence.  
15

16  
17 **IT IS FURTHER ORDERED** that the United States Probation Office shall prepare a  
18 Presentence Investigation Report.  
19

20 DATED: \_10/30/12  
21

22   
23 HON. SAUNDRA BROWN ARMSTRONG  
24  
25  
26  
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Order to Reset Change of Plea and Sentencing